

CITY OF ALAMO HEIGHTS
CITY COUNCIL
September 28, 2009

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, 6120 Broadway, at 5:30 p.m. on Monday, September 28, 2009.

Present and composing a quorum were:

Mayor Louis Cooper
Mayor Pro-Tempore Bill Kiel
Councilman Stan McCormick
Councilman Bobby Rosenthal
Councilwoman Jill Souter
Councilwoman Susan Harwell

Also attending were:

City Manager Rebecca Waldman
City Attorney Mike Brenan
Assistant City Manager/Public Works Director Shawn P. Eddy
Assistant to City Manager/Information Technology Manager Marian Ramirez
Finance Director Cynthia Barr
Community Development Director Ann McGlone
Community Development Director designee Brian Chandler
Human Resource Manager/Deputy City Secretary Judith E. Surratt
City Secretary Jennifer Reyna
Fire Chief Bill Hagendorf
Police Chief Rick Pruitt

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Mayor Louis Cooper called the meeting to order at 5:30 p.m.

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Item # 1 **Recognition of City Manager Rebecca Waldman on her retirement
after 25 years of public service, including over 3 years with the City of
Alamo Heights**

Mayor Cooper recognized City Manager Rebecca Waldman on her retirement. Mayor Cooper presented her with a plaque, a proclamation and a gift for her achievements. Mayor Cooper and City Council spoke of Ms. Waldman's accomplishments and complimented Ms. Waldman for her service.

John Grable, 208 Wildrose Avenue, Planning and Zoning Commission member, commented on Ms. Waldman's leadership and her ability to recruit key personnel that will be the next generation of leaders.

Ms. Waldman thanked the City Council for their support and leadership. She also thanked the management team for their dedication and team effort. She commented that she was privileged to work for a wonderful city with a great amount of support. She briefly spoke about pending future plans for the City of Alamo Heights.

Item # 2 **Recognition of Lieutenant Darwin “Buzz” Griffeth on his retirement from the City of Alamo Heights after 25 years of public service**

Police Chief Rick Pruitt recognized Lieutenant Darwin “Buzz” Griffeth on his retirement. Chief Pruitt and Mayor Cooper presented him with a plaque and a proclamation in appreciation for his dedication and service. The Council members thanked Lieutenant Griffeth for the protection he provided to the community over his long career but especially wanted to recognize the impact he has had on the children of the community by being a positive role model.

Ruth Chislett, 428 Normandy Avenue, representing the Alamo Heights Chamber of Commerce, thanked City Manager Rebecca Waldman for her assistance in participation of the Chamber of Commerce’s events. She also thanked Lieutenant Griffeth for his annual participation in the Holiday parade.

Lieutenant Griffeth commented how honored he was to serve the community and be part of an extended family. He thanked the police department for their support. Lieutenant Griffeth thanked Police Chief Rick Pruitt for being a mentor, always demonstrating leadership.

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Mayor Cooper asked City Council for any corrections to the minutes of the September 14, 2009, City Council Meeting. A motion was made by Councilman Stan McCormick to approve the minutes of September 14, 2009. The motion was seconded by Councilman Bobby Rosenthal and passed by unanimous vote.

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Item # 4 *City Manager’s Report*

a. Announcement of National Night Out, October 6, 2009

Police Chief Rick Pruitt and Fire Chief Bill Hagendorf invited the community to celebrate a National Night Out on Tuesday, October 6, 2009 at the City Complex. The event will start 5:30 p.m. and end at 8:00 p.m. Hot dogs, chips, and sodas will be served. Chief Pruitt thanked Assistant to City Manager/Information Technology Manager Marian V. Ramirez for posting the event’s information on the city’s website and Connect-Cty, and coordinating with Cambridge Elementary for distribution of informational flyers.

b. Declaration by Edwards Aquifer Authority to Lift Stage Two and Return to Stage One Groundwater Restrictions

Assistant City Manager/Public Works Director Shawn P. Eddy notified City Council that the Edwards Aquifer Authority (EAA) recently announced the lifting of Stage Two groundwater restrictions and return to Stage One groundwater restrictions. The City of Alamo Heights has adopted the EAA's guidelines which declared a return to Stage One groundwater restrictions based on a 10-day water average. Mr. Eddy stated the San Antonio Water System (SAWS) has adopted a 30-day average based on the Edwards Aquifer Management Plan.

Mr. Eddy suggested presenting this item to the Infrastructure and Services Committee to discuss the difference between SAWS and the Edwards Aquifer Authority on the average amount of days to implement a change in groundwater restrictions. Mr. Eddy expressed concern that customers might be confused as SAWS utilizes considerable public outreach to inform customers of the restrictions.

c. Report on receipt of \$712,343 in Local Assistance Program (LAP) funds from VIA Metropolitan Transit

Assistant City Manager/Public Works Director Shawn P. Eddy informed City Council of receipt of a reimbursement check from VIA Metropolitan Transit for the city's expenses related to street improvements.

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Mayor Cooper thanked Central Market for the donation of the cake for City Manager Rebecca Waldman's pre-council meeting reception.

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Citizens To Be Heard Concerning Non-Agenda Items

Jason Pulliam, 21218 Rio Sabinal, introduced himself as candidate for Judge, County Court at Law No. 5. He expressed his dedication to public service and also provided his education, employment background and his objectives.

Patricia Evans, 140 Patterson, encouraged continual water conservation.

Margaret Spencer, 140 Patterson, announced that stray dogs were seen in her neighborhood.

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Consent Items

Item # 6 Mayor Cooper read the following captions.

Request by Alamo Chamber of Commerce for a street closure of the 6900 block of Broadway to the 5100 block of Broadway from 5:00 p.m. until 6:00 p.m. on November 21, 2009, for its annual "Holiday Parade"

Item # 7 **Request by Alamo Heights Presbyterian Church for a Special Event Permit from 5:00 p.m. until 7:30 p.m. on October 8, 2009, for a school fundraiser event**

Item # 8 **RESOLUTION NO. 2009R-008**

A Resolution adding and removing certain City Officers and Officials from signatory authority for City accounts

A motion for approval was made by Councilwoman Jill Souter. The motion was seconded by Councilwoman Susan Harwell and passed by unanimous vote.

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Items for Individual Consideration

Item # 9 Mayor Cooper read the following caption.

Budget and Tax Ordinances to be considered in the following order:

ORDINANCE NO. 1841

a. FY 2009-2010 OPERATING BUDGET

ORDINANCE NO. 1842

b. 2009 AD VALOREM TAX RATE

ORDINANCE NO. 1843

**c. RATIFYING THE INCREASE IN PROPERTY TAX
REVENUE REFLECTED IN THE FY 2009-2010
BUDGET**

Assistant City Manager/Public Works Director Shawn P. Eddy provided a PowerPoint presentation on the proposed budget and tax ordinances. Staff recommended approval.

The City Charter requires that City Council adopt an annual operating budget for each fiscal period. The Fiscal Year 2009-2010 Operating Budget serves as a policy document, a financial plan, operations guide and a communications device for the City. The FY 2009-2010 Operating Budget is October 1, 2009 through September 30, 2010.

Mr. Eddy presented the ad valorem tax rate of \$.355662 for every \$100.00 valuation for taxes being levied for the year beginning January 1, 2009 and ending December 31, 2009.

State law requires a separate vote to be made to ratify the property tax revenue increase in the budget. The property tax rate will not increase; however, it will raise more total property taxes than last year's budget.

A motion for approval was made by Councilwoman Souter for the FY 2009-2010 Operating Budget. The motion was seconded by Councilman Rosenthal and passed by unanimous vote.

A motion for approval was made by Mayor Pro Tem Bill Kiel for the 2009 Ad Valorem Tax Rate. The motion was seconded by Councilwoman Jill Souter and passed by unanimous vote.

A motion for approval was made by Councilman McCormick ratifying the increase in property tax revenue reflected in the FY 2009-2010 budget. The motion was seconded by Councilwoman Harwell and passed by unanimous vote.

Item # 10 Mayor Cooper read the following caption.

Consideration of the compatibility of the design for a single-family residence and two detached garages at 120 Redwood in order to receive a building permit per Chapters 3 and 5 of the Code of Ordinances, as proposed by Dr. Kent Hamilton, owner, represented by MSA Architecture and Planning, on a property zoned Single Family – A

Community Development Director Ann McGlone made a PowerPoint presentation that included photos, proposed plans and elevations. Staff recommended approval.

Ms. McGlone stated there was no written or electronic communication for or against the project. The proposed design does not require any variances and was found to be in compliance with the Chapter 3 Zoning Ordinance.

Annette Starkweather, 225 Albany Street, expressed opposition to Dr. Hamilton paving the alley. She expressed her concern that the alley would become a parking area for his personal use.

There was discussion among City Council about the use of alleys, type of pavement and consideration of sale. Mayor Pro Tem Kiel reminded City Council of similar situations in the City and expressed concern of the private use of an alley. Ms. McGlone stated if pavement of the alley by the applicant is desired, (as required through the Right of Way Ordinance), a separate permit will need to be submitted. Ms. McGlone suggested alternative materials may be used to surface an alley in consideration of the slope, drainage problems, and perception of ownership.

A motion for approval was made by Councilman Bobby Rosenthal that the replacement structure to be constructed at 120 Redwood is compatible with the neighborhood and to allow the construction provided this approval does not grant the right to the owner to make any changes to the existing surface of the alley. The motion was seconded by Mayor Pro Tem Kiel and passed by unanimous vote.

Item # 11 Mayor Cooper read the following caption.

RESOLUTION NO. 2009R-009

A Resolution authorizing the filing of a grant application with the Alamo Area Council of Governments (AACOG) for a regional solid waste grants program in the estimated amount of \$11,895.80 for purchase of approximately 216 new 96-gallon recycling bins; authorizing the City Manager to act on behalf of the City of Alamo Heights in all matters related to the application; and pledging that if a grant is received the City of Alamo Heights will comply with the grant requirements of the Alamo Area Council of Governments, the Texas Commission on Environmental Quality (TCEQ) and the State of Texas

Assistant City Manager/Public Works Director Shawn P. Eddy presented a PowerPoint presentation on the background information and the submission of a new grant application. Staff recommended approval.

Mr. Eddy stated that the Alamo Area Council of Governments (AACOG) currently has a regional solid waste grants program. The City of Alamo Heights submitted a grant application for this program and if selected, the grant will provide funding for the purchase of 216 additional new 96-gallon recycling bins for distribution to residential curbside customers. The Texas Commission on Environmental Quality (TCEQ) and the State of Texas will review the application. The final grant selection will be forwarded to the TCEQ for their approval on October 28, 2009.

A motion for approval was made by Councilwoman Harwell. The motion was seconded by Mayor Pro Tem Kiel and passed by unanimous vote.

Item # 12 Mayor Cooper read the following caption.

ORDINANCE NO. 1844

AN ORDINANCE ADOPTING A DROUGHT CONTINGENCY PLAN FOR THE CITY OF ALAMO HEIGHTS AS REQUIRED BY SECTION 11.1272 OF THE TEXAS WATER CODE AND APPLICABLE RULES OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Assistant City Manager/Public Works Director Shawn P. Eddy provided a PowerPoint presentation on the conservation background that encouraged an adoption of a drought contingency plan. Staff recommended approval.

A motion for approval was made by Mayor Pro Tem Kiel. The motion was seconded by Councilwoman Harwell and passed by unanimous vote.

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Staff Reports

Item # 13 Mayor Cooper read the following caption.

Presentation of Updated Sylvan Hills Traffic Study

Assistant City Manager/Public Works Director Shawn P. Eddy presented a PowerPoint summarizing findings in a recent Traffic Study Update for the Sylvan Hills Neighborhood.

Mr. Eddy provided a traffic study update on the projects at various locations within the City. Studies were done by Freese and Nichols to address the various traffic concerns for the Sylvan Hills Neighborhood. Mr. Eddy commented that Freese and Nichols observed that school traffic around Alamo Heights High School functions quite well when compared to other cities, such as Austin and San Antonio. Mr. Eddy presented a graph that displayed the high traffic streets near the Alamo Heights schools.

Mayor Cooper commented the student drop-off entrance at the Alamo Heights High School does not allow vehicles to turn left onto Broadway, which contributes to the congested traffic. Mayor Cooper suggested the student drop-off layout at Alamo Heights High School should be re-considered. There was discussion among the City Council about different traffic scenarios and possibilities of different solutions. Mr. Eddy stated that the City will be working closely with the Alamo Heights Independent School District to discuss traffic and parking issues.

Councilwoman Souter discussed the island located at Vanderhoeven Street. Mr. Kelly confirmed that traffic has increased to the north, affecting E. Elmview Drive. Councilwoman Harwell shared the history of traffic on Elmview and Fair Oaks.

Councilman Rosenthal discussed adding a left turning lane on Vanderhoeven onto Fair Oaks. Mayor Pro Tem Kiel reminded Council of the objective to direct traffic onto the major streets. Mr. Eddy suggested possible solutions to the traffic related to E. Castano and Vanderhoeven Streets.

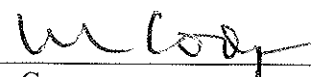
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There being no further business, a motion was made by Councilman McCormick to adjourn the meeting. Motion was seconded by Councilwoman Jill Souter and passed by unanimous vote. Mayor Cooper adjourned the meeting at 8:01 p.m.


Jennifer Reyna, TRMC
City Secretary



Louis Cooper
Mayor